

804 KAR 10:010. Appointment notification of local administrator.

RELATES TO: KRS 241.110, 241.120, 241.160, 241.170, 241.220, 241.230

STATUTORY AUTHORITY: KRS 241.060

NECESSITY, FUNCTION, AND CONFORMITY: KRS 241.060 authorizes the board to promulgate administrative regulations regarding matters over which the board has jurisdiction. KRS 241.110 permits the county judge/executive or other appointed person to serve as a county alcoholic beverage control administrator for a moist or wet county. KRS 241.160(1) requires wet or moist cities with a population equal to or greater than 3,000, or a consolidated local government, to create by ordinance the office of city alcoholic beverage control administrator. KRS 241.160(2) and (3) permit a city with a population less than 3,000 to create by ordinance the office of city alcoholic beverage control administrator unless the city is located in a county containing a consolidated local government. KRS 241.220 requires an urban-county government to create by ordinance the office of urban-county alcoholic beverage control administrator. KRS 241.110, KRS 241.170, and KRS 241.230 require all local administrators to take the oath prescribed by Section 228 of the Kentucky Constitution. This administrative regulation requires a local government to provide written notification to the department when a local administrator is appointed and to provide proof that the oath was taken.

Section 1. Definition. "Local administrator" is defined by KRS 241.010(36).

Section 2. Notification procedure. A local administrator appointed under KRS Chapter 241 shall submit the following documents to the department within thirty (30) days of appointment:

- (1) A letter, resolution, or ordinance evidencing the local administrator's appointment or the county judge/executive's acceptance of the position; and
- (2) Written certification that the oath prescribed by Section 228 of the Kentucky Constitution has been administered to the local administrator. (ABC 1:10; 1 Ky.R. 846; eff. 5-14-1975; TAm eff. 8-9-2007; TAm eff. 7-15-2014; 41 Ky.R. 2632; 42 Ky.R. 294; eff. 9-4-2015; 43 Ky.R. 1277; eff. 3-31-2017; .43 Ky.R. 2224; 44 Ky.R. 524; eff. 10-6-2017.)